

FISHER RADIO  
SEATTLE

ORIGINAL

EX PARTE OR LATE FILED

MM 99-25  
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JUN 28 12 03 PM '99  
OFFICE OF THE CHAIRMAN

June 21, 1999

Chairman William Kennard  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In Re: MM Docket No. 99-25

Dear Chairman Kennard:

We are writing regarding the Commission's proposal to create new classes of low power FM stations. We consider this proposal to be the most serious threat to the integrity of the FM radio band in its history.

While there are numerous reasons this plan is ill-conceived from an economic standpoint, the primary reason for our alarm is technical. The laws of physics dictate that, if adopted as presently proposed, this plan would result in serious denigration of the quality of FM radio.

Our primary concern lies with the proposal to do away with the 2<sup>nd</sup> and 3<sup>rd</sup> adjacent channel interference protection currently provided. Such action would result in the FM band becoming what the AM band has become. The Commission, itself, acknowledged that the level of interference on AM has contributed to its demise, and to the loss of important service to the public. There are good reasons why 2<sup>nd</sup> and 3<sup>rd</sup> channel protections were initiated in the first place, and those reasons remain.

While we applaud Chairman Kennard's desire to provide various minority and community groups their own "voice" on the radio, the instant proposal appears to be based more on *politics* than *physics*. It is government based on good *intentions* rather than good *science*.

Further, the highest demand for this type of service is in the nation's largest markets. But even with the proposed relaxation of the adjacent-channel protections, very few of these new stations will be possible in America's largest cities. Yet, in small markets across America – those markets where broadcasters are already most vulnerable – 20 or 30 or more new stations could be added, cluttering the airwaves and interfering with the current high-quality service. Please do not "AM-ize" the FM band.

There are two further issues worthy of note.

First, if adopted, this proposal could result in nearly doubling the number of radio stations in the U.S. It has taken the F.C.C. more than 3 years to deal with 450 "pirate broadcasters" which have signed on the air, illegally, during this time. Some of these pirates continue to operate illegally. If it's taken this long to simply turn-off 450 obviously illegal stations, how will the Commission's

staff be able to police (if such policing were even possible) an additional 10,000 new low-power stations?

Secondly, America's broadcasters have worked over the past 8 years to develop a new In-Band-On-Channel **digital** radio service. This extremely difficult technical challenge is nearing its successful completion. All of the various systems for delivering digital radio are based on the existing rules for adjacent channel protection. But now....just when this new service is about to be introduced....the Commission is proposing to change the rules, sending this important advancement "back to the drawing board".

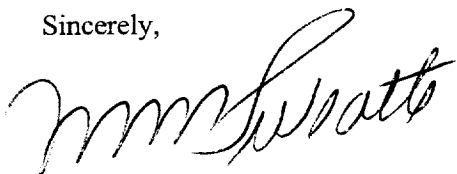
In summary, the Commission's proposal will:

- ☐ not solve the problem it was intended to resolve. The areas with the greatest demand for such stations (our largest cities) will be able to add few, if any, such stations
- ☐ result in the denigration of FM radio service across America, such that many citizens will suffer from increased interference to their favorite radio stations
- ☐ significantly increase regulatory costs at the Commission, increasing either taxes or the federal deficit; and
- ☐ interfere with, or perhaps even make impossible, the introduction of digital radio in the United States.

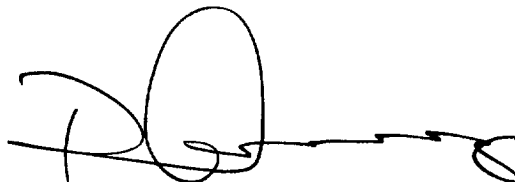
Unfortunately, if *everyone is allowed* to be heard on the radio, *no one will be able* to be heard on the radio. It is exactly this problem which caused the F.C.C. to be created in the first place, back in 1927, so that *order* could be brought from *chaos* on the AM band, and so that America could enjoy the finest broadcast service in the world. Please allow that service to continue by REJECTING the proposals in MM Docket No. 99-25.

Thank you.

Sincerely,



J. Shannon Sweatte  
Sr. VP, Fisher Radio Seattle & Portland



Robert I Dunlop  
VP & General Manager, Fisher Radio Seattle